



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

July 6, 2020

**BY ECF**

The Honorable Ronnie Abrams  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: United States v. Perez-Batista, 20 Cr. 151 (RA)

Dear Judge Abrams:

The Court denies the Government's request. The sentence is hereby rescheduled to August 21, 2020 at 9:00 a.m. and will proceed by video conference.

SO ORDERED.

Ronnie Abrams, U.S.D.J.  
August 6, 2020

The Government writes in advance of defendant Anthony Perez-Batista's sentencing scheduled for July 15, 2020. The defendant has requested to proceed remotely with his sentencing on that date. The Government respectfully submits that there is not a sufficient basis for holding the sentencing remotely on July 15, 2020 and instead requests that the sentencing be adjourned for several months until an in-person proceeding can take place.

The Coronavirus Aid, Relief, and Economic Security ("CARES") Act requires that a district judge "finds for specific reasons that the . . . sentencing in [a] case cannot be further delayed without serious harm to the interests of justice." *See* CARES Act § 15002. The defendant—who has incurred nine convictions, has been deported on two prior occasions, and committed the instant offense while under supervised release—now faces a United States Sentencing Guidelines range of 37 to 46 months' imprisonment. The Probation Office has recommended 37 months' imprisonment and the Government intends to seek a within-Guidelines sentence. The defendant, to date, has served approximately five months of imprisonment. As a result, the Government respectfully submits that this case fails to meet the standard required under the CARES Act to hold a remote sentencing because there is an insufficient basis to find that the sentencing "cannot be further delayed without serious harm to the interests of justice." *See id.*

Respectfully submitted,

AUDREY STRAUSS  
Acting United States Attorney

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